

# Draft Guidance for Implementing the January 2001 Methylmercury Water Quality Criterion

Find the full document at <http://www.epa.gov/waterscience/criteria/methylmercury/>

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## DISCLAIMER

This guidance provides advice on how to implement the water quality criterion recommendation for methylmercury that the U.S. Environmental Protection Agency (EPA) published in January 2001. This guidance does not impose legally binding requirements on EPA, states, tribes, other regulatory authorities, or the regulated community, and may not apply to a particular situation based upon the circumstances. EPA, state, tribal, and other decision makers retain the discretion to adopt approaches on a case-by-case basis that differ from those in the guidance where appropriate. EPA may update this guidance in the future as better information becomes available.

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## FOREWORD

On January 8, 2001, the Environmental Protection Agency (EPA) announced the availability of its recommended Clean Water Act (CWA) section 304(a) water quality criterion for methylmercury. This water quality criterion, 0.3 mg methylmercury/kg fish tissue wet weight, describes the concentration of methylmercury in freshwater and estuarine fish and shellfish tissue that should not be exceeded to protect consumers of fish and shellfish among the general population. EPA recommends the criterion to be used as guidance by states, territories, and authorized tribes in establishing or updating water quality standards for waters of the United States and in issuing fish and shellfish consumption advisories.

This is the first time EPA has issued a water quality criterion expressed as a fish and shellfish tissue value rather than as a water column value. EPA recognizes that this approach differs from traditional water column criteria and may pose implementation challenges. In the January 8, 2001 notice, EPA stated that it planned to develop more detailed guidance to help states, territories, and authorized tribes with implementation of the methylmercury criterion in water quality standards and related programs. This document provides that detailed guidance.

EPA wrote the *Guidance for Implementing the January 2001 Methylmercury Water Quality Criterion* to provide the technical guidance to states, territories, and authorized tribes exercising responsibility under CWA section 303(c) on how to use the new fish tissue-based criterion recommendation in developing their own water quality standards for methylmercury and in implementing these standards in Total Maximum Daily Loads (TMDLs) and National Pollutant Discharge Elimination System (NPDES) permits. EPA also wrote the guidance to discuss approaches for managing the development of TMDLs for waterbodies impaired by mercury and to recommend an approach for directly incorporating the methylmercury tissue criterion in NPDES permits.

For more information on the methylmercury criterion, see the criteria page on EPA's Web site at <http://www.epa.gov/waterscience/criteria/methylmercury/criteria.html>. For more information on EPA's water quality standards program, see the standards page on EPA's Web site at <http://www.epa.gov/waterscience/standards>. For more information about this guidance document, contact U.S. Environmental Protection Agency, Office of Science and Technology (4305T), 1200 Pennsylvania Avenue, NW, Washington, DC 20460.

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